

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)	Bankruptcy No. 22-10558-JAD
)	
AMANDA LEIGH RODGERS AND)	Chapter 13
STEVEN CHARLES RODGERS, JR,)	
Debtors)	Related to Document No. 18
~~~~~	)	
AMANDA LEIGH RODGERS AND STEVEN	)	
CHARLES RODGERS, JR,	)	
Movant	)	<u>HEARING DATE:</u>
	)	February 7, 2023, at 10:00 AM
vs.	)	
	)	
CARVANA, LLC,	)	
	)	
Respondents	)	
and	)	
	)	
RONDA J. WINNECOUR,	)	
Trustee	)	

**OBJECTION BY CARVANA, LLC  
TO CONFIRMATION OF DEBTORS' PROPOSED PLAN**

Carvana, LLC ("**Carvana**"), by and through its counsel, Tucker Arensberg, P.C., files this Objection to Confirmation of Debtors' Proposed Plan and states:

1. On June 12, 2020, Debtor Amanda Leigh Rodgers entered into a Retail Installment Sale Contract in the principal amount of \$18,140.80 (the "**Contract**") that referred and related to the purchase of a 2016 Lexus NX Utility 4D NX200t 2.0L I4 Turbo (V.I.N. JTJYARBZ2G2039801) (the "**Vehicle**"). A copy of the Contract is attached as Exhibit A.
2. The interest rate under the Contract is 19.970% per annum.
3. Carvana is the assignee of the Contract.
4. To secure the Contract, Debtor Amanda Leigh Rodgers granted a first lien on the Motor Vehicle in favor of Carvana. *See* attached Exhibit B.
5. On December 14, 2022, the Debtors filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code.
6. On January 11, 2023, Debtors filed a Proposed Plan (the "**Plan**").

7. The Chapter 13 Trustee scheduled a Meeting of Creditors for February 7, 2023.

8. At the time of the bankruptcy filing, the total amount of Carvana's claim was \$14,056.00.

9. In the Plan, Debtors propose to pay Carvana the sum of \$13,496.00 at the rate of 5.000% per annum interest.

10. Debtors' proposed treatment fails to comply with the cramdown requirements for confirmation as stated in 11 U.S.C. § 1325(a)(5)(B)(i).

11. Per the N.A.D.A Report, the fair market value for the Vehicle is \$28,350.00. *See* attached Exhibit C.

12. Carvana is entitled to a secured claim of \$14,056.00 at 8.50% interest over the life of the Plan.

13. For the foregoing reasons, Carvana objects to confirmation of the Plan.

WHEREFORE Carvana, LLC, respectfully requests that this Honorable Court deny confirmation of the Plan.

Dated: February 1, 2023

Respectfully submitted,

TUCKER ARENSBERG, P.C.

/s/ Maribeth Thomas

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